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Committee on Economic, Social and Cultural Rights
Fifty-seventh session

Summary record of the 6th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 24 February 2016, at 3 p.m.

Chair: Mr. Sadi

Contents

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Sixth periodic report of Canada

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The meeting was called to order at 3 p.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Sixth periodic report of Canada (E/C.12/CAN/6; E/C.12/CAN/Q/6 and Add.1)

1. *At the invitation of the Chair, the delegation of Canada took places at the Committee table.*

2. **Ms. Wernick** (Canada), introducing the sixth periodic report of Canada (E/C.12/CAN/6), said that the federal, provincial and territorial governments had worked together to prepare for the interactive dialogue with the Committee. Civil society and indigenous organizations had also played a role in identifying and advancing important areas of discussion.

3. The 150th anniversary of Canadian confederation in 2017 was an important milestone that provided an opportunity to reflect on the country's long-standing commitment to the promotion and protection of human rights, a commitment that was based on three essential characteristics: a pluralistic and inclusive society; inclusive and accountable governance with cooperation across all orders of government; and the vital role of civil society and indigenous peoples.

4. Respect for diversity was a driving force behind Canadian cultural, political and economic achievements. The country's experience with peaceful pluralism had taught it to respect diverse views and to accept that the strength of Canadian society depended on the full participation of all its citizens. That commitment had recently been reaffirmed in the appointment of a new federal Cabinet, in which 50 per cent of the ministers were women and 17 per cent were members of visible minorities.

5. Canada was a multicultural society of 35 million people with two official languages, English and French, and over 200 different ethnicities represented in the population. The population of indigenous peoples of Canada, comprising the First Nations, Inuit and Métis, totalled about 1.4 million people and included more than 600 First Nations communities, representing some 50 cultural groups.

6. Canada was a federal State with a federal Government, 10 provincial governments and 3 territorial governments. Each one had its own sphere of constitutional jurisdiction. All orders of government took their obligations under the Covenant seriously and shared a strong commitment to working together to protect and advance human rights. The country's cooperative approach to implementation allowed provincial and territorial governments to find local solutions to local concerns. When combined with federal policies and commitments, the cooperative approach created a strong foundation for the realization of rights under the Covenant.

7. All governments consulted civil society, community groups, indigenous organizations and other stakeholders on specific policies and programmes that served to implement human rights. Their views had played a crucial role in informing the country's response to the Committee's list of issues and in highlighting the important human rights issues facing Canada.

8. The open and cooperative approach was further strengthened by features of the Canadian legal system, such as the Constitution and the independent judicial system, which ensured that Canadians across the country had a common base of human rights protections. The Covenant was implemented through a multitude of laws, policies and programmes across all orders of government. Jurisdictions often worked together to address challenges in areas such as health, social services, housing, homelessness, family

justice, and issues affecting indigenous peoples and persons with disabilities. Where Canadians considered themselves to be subject to a violation of their rights, their avenues to challenge and redress were accessible and well established.

9. The Canadian Charter of Rights and Freedoms, which formed part of the Constitution, guaranteed equality and non-discrimination. Canadians could exercise their rights without discrimination based on race, national or ethnic origin, religion, disability, age, sex or sexual orientation. The Charter guaranteed civil and political rights and protected a number of rights enshrined in the Covenant, such as the right to form and join trade unions, the right to strike, the right to reside and earn one's living in any territory or province, rights relating to the official languages, and rights relating to education in an official language in areas where it was not the majority language. Many provinces had also enacted their own human rights legislation, which guaranteed even stronger protection of Covenant rights at the local level.

10. While the Constitution recognized the existing or treaty-based rights of the indigenous peoples, everyday life was still not easy, equitable or fair for many of them. Canada was committed to a renewed nation-to-nation relationship with indigenous peoples, based on recognition, rights, respect, cooperation, partnership and a spirit of reconciliation. It was essential at the outset to recognize and respect Aboriginal title and rights in accordance with the Constitution, international treaties and other key instruments such as the United Nations Declaration on the Rights of Indigenous Peoples, which Canada planned to implement.

11. Five cross-cutting priorities had been established for the country's relationship with indigenous peoples: moving forward with rights and reconciliation; giving priority to children and young people; supporting stronger indigenous communities; improving the quality of life of Métis individuals and communities; and making the northern part of the country strong, inclusive and vibrant. With a view to achieving those priorities, the Government would enter into discussions with First Nations, Métis Nation and Inuit leaders, provincial and territorial governments, parties to the Indian Residential School Settlement Agreement, and other key partners with a view to designing an engagement strategy for developing a national reconciliation framework based on the recommendations of the Truth and Reconciliation Commission. A key prerequisite for the achievement of the five priorities had been the launching of a national public inquiry into missing and murdered indigenous women and girls. As a result of cooperation across all orders of government, a renewed relationship and a nation-to-nation approach, indigenous peoples in Canada would be better able to enjoy their economic, social, and cultural rights.

12. Canada had a comprehensive social protection and assistance framework and an enviable record of human development and social mobility. People were better educated and more prosperous and were living longer than at any point in Canadian history. Continued action was nonetheless being taken to strengthen social assistance and protection programmes, and to advance social innovation so that all individuals and communities could better realize their economic, social, and cultural rights. The long-form census questionnaire would be restored to provide up-to-date and accurate data.

13. Canada was committed to strengthening the middle class and to lifting more Canadians, including children and older persons, out of poverty. The federal Government was currently developing a National Poverty Reduction Strategy to supplement those already existing in provincial and territorial jurisdictions and in municipalities. The Government also intended to develop a strategy to restore strong federal support for affordable housing, for instance by supporting Housing First initiatives that helped homeless Canadians to find more permanent housing.

14. Several new initiatives, including an Early Learning and Child Care Framework, were being developed in partnership with the provincial and territorial governments with a view to providing affordable, high-quality, flexible and fully inclusive childcare for Canadian families. In addition, budgetary proposals would be made for the creation of a generous tax-free child benefit for the neediest families.

15. With a view to encouraging governments across the country to foster a new generation of workers with the right skills, the Government had committed itself to making post-secondary education more affordable for students from low and middle-income families. Student loans, bursary programmes, as well as tax-assisted and government-assisted savings plans provided further opportunities for all Canadians. Recently, for example, the province of Newfoundland and Labrador had eliminated provincial student loans in favour of needs-based grants to support access to post-secondary education.

16. The publicly funded universal health-care system was a source of pride for Canadians. Adopting a collaborative approach, the country was negotiating a new multi-year Health Accord with provincial and territorial governments to ensure that the health-care system could meet current needs and adapt to new challenges.

17. The employment insurance system would be strengthened with a view to ensuring that all Canadians, including vulnerable and underrepresented groups, had the support they required to find gainful employment and to live active and healthy lives. For instance, the federal Government had committed itself to removing the long-standing new entrant and re-entrant provisions that disproportionately affected recent immigrants and younger workers. The federal Employment Equity Act was designed to remove barriers to employment and upward mobility facing four designated groups: women, Aboriginal peoples, persons with disabilities and members of visible minorities. Those groups accounted for at least 60 per cent of the Canadian workforce. Such federal, provincial and territorial policies, programmes and decisions promoted the dismantling of barriers to the realization of rights, including those of vulnerable or underrepresented groups.

18. Canada had long been a destination of choice for immigrants and remained among the top immigrant-receiving nations. Communities were strengthened when governments and society worked together to welcome newcomers who would contribute to the country's development. In November 2015, the federal Government had committed itself to increasing the resettlement of Syrian refugees, setting an initial goal of 25,000 by the end of February 2016. As of 16 February 2016, more than 23,000 Syrian refugees had been resettled in more than 100 communities across the country.

19. In addition, Canada was taking steps to ensure that its immigration and refugee policies remained open, accepting and generous. To that end, it was currently developing initiatives to assist immigrants in reuniting with their families. During the current year, for example, it had doubled the number of places for parents and grandparents of immigrants. Canada had also fully restored the Interim Federal Health Program, which provided limited and temporary health benefits to resettled refugees and asylum claimants.

20. Canada was proud of its continued progress towards realizing Covenant rights. While challenges remained, it was committed to addressing them with a renewed spirit of cooperation across all orders of government and a belief that such challenges were best addressed through an inclusive, open and transparent approach that leveraged the strength of diverse viewpoints.

21. **Mr. Mancisidor de la Fuente** (Country Rapporteur) said that he welcomed the steps taken to promote gender balance and the participation of minorities in the new Government.

22. The State party frequently gave priority to civil and political rights over economic, social and cultural rights when interpreting the provisions of the Canadian Constitution and the Charter of Rights and Freedoms. For instance, the head of the delegation had stated that the Charter fully guaranteed civil and political rights and protected many economic, social and cultural rights. The Charter could, however, be interpreted as providing protection for all the rights enshrined in the Covenant. He therefore urged the State party, and in particular the Canadian judicial system, to adopt a broader interpretation of the scope of the Charter. In view of the growing recognition at the international level of the justiciability of economic, social and cultural rights, he asked whether the State party planned to sign and ratify the Optional Protocol to the Covenant.

23. According to paragraph 11 of the State party's written replies to the list of issues (E/C.12/CAN/Q/6/Add.1), federal and provincial or territorial governments had a legal duty to consult indigenous peoples when contemplating conduct that might adversely affect their rights. The Committee had been informed, however, that prior consultations were rarely conducted under such circumstances. He asked whether the scope of the legal duty was unduly narrow or whether difficulties were encountered in its implementation.

24. Turning to paragraph 19 of the replies, he said that he was pleased to note that budgetary transfers for certain social welfare and health-care programmes had increased by 11 per cent during the period from 2009-2010 to 2014-2015. According to other data sources, however, the current federal budget was the lowest, as a proportion of gross domestic product (GDP), since 1949. He would therefore like to know the ratio of social welfare expenditure to the budget as a whole and to GDP. A marked decline in the ratio could constitute a violation of article 2, paragraph 1, of the Covenant.

25. Canada ranked eighth in the Human Development Index of the United Nations Development Programme (UNDP) but it ranked twenty-third in the Gender Inequality Index. He requested an explanation of the latter figure.

26. **Mr. Pillay** said that the State party's ideological objection to the principle that economic, social and cultural rights were justiciable had, in his view, constituted a fundamental obstacle to the implementation of some of the Committee's previous recommendations. Canadian government officials had actually argued in court that such rights were not justiciable. He therefore joined the previous speaker in asking whether the State party intended to ratify the Optional Protocol to the Covenant.

27. **Mr. Ribeiro Leão** asked whether the activities of Canadian companies operating abroad were monitored to ensure that they complied with the State party's obligations under the Covenant.

28. He enquired about amendments to the legislation applicable to immigrants and refugees and changes in the budgetary funds allocated to relevant programmes and policies since the submission of the report.

29. **Mr. Schrijver** noted that the Government had recently launched an updated Corporate Social Responsibility Strategy, which encouraged companies to reflect Canadian values when operating abroad. He asked whether it could be inferred that the State party accepted the existence of extraterritorial human rights obligations both for Canadian companies and for the Government when it negotiated international free trade and investment agreements.

30. Referring to the decline in Canadian official development assistance (ODA) in recent years, he asked whether the new Government would seek to restore the previous level of ODA and whether it would adopt a human rights approach to the projects that it supported. Canada was not meeting the target of allocating 10 per cent of ODA to sexual

and reproductive health-care information and services. He asked whether the State party intended to remedy that situation.

31. **Mr. Uprimny** asked whether there were any plans to establish an ombudsman to investigate human rights complaints against Canadian companies operating abroad, especially in the extractive industry. He said that the new Government was in an excellent position to advance the recognition of economic, social and cultural rights in Canada by revising its stance on their justiciability. That was especially important because those who did not fully enjoy their rights under the Covenant tended to be minorities and other vulnerable people who, as such, did not wield significant political clout and could hope for change only through the courts.

32. **Ms. Bras Gomes**, referring to paragraphs 22 to 24 of the replies to the list of issues, asked whether the measure adopted in Quebec prohibiting discrimination on grounds of social condition could be invoked in other provinces and, if not, whether federal legislation might be amended to include a similar ban. Welcoming the planned reintroduction of the long-form census, she asked whether the authorities would also be compiling disaggregated data on the various indicators. Noting that municipalities were not accountable to the federal Government, she wished to know how they maintained minimum standards and ensured that Covenant rights were appropriately understood and upheld at the various levels of government.

33. **Mr. Atangana** emphasized that the State party did not appear to have made any progress on the vital issue of the justiciability of Covenant rights. He invited the delegation to comment on any court decisions affecting economic, social and cultural rights.

34. **Mr. De Schutter**, pointing out that international human rights recommendations often went unheeded by the State party, said that the Continuing Committee of Officials on Human Rights was not the answer to the questions and concerns repeatedly raised by the Committee about the implementation of the Covenant. The federal Government could do more, for example by showing greater leadership, supporting a countrywide human rights strategy on economic, social and cultural rights and attaching conditions to federal transfers to the provinces and territories. In that connection, he asked what steps the federal Government intended to take to ensure coordinated implementation of the Covenant and to strengthen the accountability of municipal governments.

35. He wished to know what steps were being taken to move away from non-conventional fossil fuels and to guarantee in practice the right of indigenous peoples to free, prior and informed consent in relation to extraction projects. Noting that the tax system was not progressive, contrary to international standards, he invited the delegation to comment on how the State party reconciled proportionally higher taxes for lower-income brackets with the recent cutbacks in social spending. He asked whether human rights impact assessments had been carried out to ensure that the investment clauses in recently signed trade agreements did not constitute barriers to the full realization of economic, social and cultural rights in Canada. Lastly, he enquired about the municipal reaction to the abolishing of certain programmes, such as the farm-to-cafeteria school meals programme, in order to comply with the procurement clauses found in such agreements.

36. **Mr. Kedzia**, recalling the contribution of two prominent Canadians to international human rights law, urged the State party to ratify the Optional Protocol to the Covenant and to change its position on the justiciability of economic, social and cultural rights. While he understood that the Government preferred not to interfere in economic activities, he pointed out that there were means of ensuring that Canadian businesses did their part to uphold human rights, both domestically and abroad, without curbing their entrepreneurial freedom. He asked how the Government perceived its responsibilities in

that regard under the Covenant and whether victims of human rights violations committed by Canadian firms abroad had access to the Canadian court system.

37. **Ms. Shin** said that there were conflicting images of the State party: on the one hand, it was a country that sponsored international initiatives on women's rights and provided social security to immigrants but, on the other, it had many hidden problems, such as spending cuts and murdered and missing indigenous women. Noting the lack of information on gender equality in the report, she asked what steps were being taken to address structural discrimination, in particular the gender pay gap, and whether there was a comprehensive national action plan on gender-based discrimination. Lastly, she asked why the State party had yet to revise the Indian Act, whose provisions were discriminatory, how discrepancies between the policies of the various levels of government were handled and whether the Government engaged in formal consultations with civil society and took its views into account.

38. **The Chair** invited the delegation to say whether the new Government's policies had had any impact on economic, social and cultural rights. Recalling that Canada had a very good reputation as a model of multiculturalism, he asked whether cultures had to be similar for multiculturalism to be successful.

39. **Mr. Ribeiro Leão** asked whether any up-to-date figures were available on the Aboriginal Skills and Employment Training Strategy. He also asked how the right to social security was envisioned for immigrants and refugees, especially in the light of Bill C-43.

40. **Ms. Bras Gomes** asked what impact the federal Employment Equity Act had had on reducing unemployment among the most affected groups, including the indigenous population, young people and recent immigrants, and how the provisions of the Act applied in the provinces and territories given that they currently covered only 12 per cent of the total workforce. She wished to know why the pay gap and gender segregation in the workplace persisted. Suggesting that a lack of coordinated policies might be to blame, she asked what additional measures could be adopted to overcome such structural inequalities. She asked why social assistance benefits were below the poverty line for all target groups — notably persons with disabilities living in institutions — and across all jurisdictions, and how the State party reconciled the notion of income safety with the clawback of the National Child Benefit. Lastly, she enquired about plans to reinstate the National Council on Welfare or some other institution with a similar mandate.

41. **Mr. Martynov** asked how the unemployment rate of immigrants compared to that of the population as a whole. He also asked what percentage of unemployed Canadians were eligible for unemployment benefit and how current unemployment benefits compared to the level of income considered necessary to ensure a household's sustenance.

42. He wondered whether the new Government had any plans to develop a national childcare system and thus facilitate access to the job market for parents who had no access to some form of regulated childcare. If so, what was the time frame for implementing those plans?

43. He said he would appreciate updated statistics on the employment rate of persons with disabilities, which had been around 49 per cent some five years earlier. In addition, he asked whether women, who were also a vulnerable group, would be added to the groups that, according to the State party's report, were the prime targets of the Government's policies on promoting the employment of persons with disabilities. In the same connection, he asked what the Government was doing to address the situation of the more than 20 per cent of persons with disabilities who, according to reports, were neither employed nor eligible for public assistance. It would also be interesting to know

whether the new Government intended to accede to the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

44. The statement that increases to minimum wage rates assisted people in achieving a decent living (written replies, para. 43) struck him as elliptical. He would therefore welcome statistics indicating the extent to which minimum wages enabled workers to bear the cost of living. Information on any plans to address gender imbalances in the low-wage labour markets — women evidently accounted for a disproportionate share of minimum wage earners — would also be welcome.

45. **Mr. Kedzia** asked whether there were any employment plans or strategies tailored to meet the relatively greater needs of young people aged between 15 and 24, in particular those of indigenous or immigrant background.

46. He wished to know whether the passage of Bill C-43, which had repealed the prohibition on imposing minimum residency requirements for eligibility for social assistance benefits, had in fact led to the imposition of such requirements. He also wished to know the reason for the repeal.

47. **Mr. Abdel-Moneim** asked how the Canadian authorities calculated the country's employment rates, which were quite high. Expenditures on social services accounted for an admirably large share of the State party's public spending. He nonetheless wished to know how the Canadian authorities determined that the steps that had been taken with a view to achieving the full realization of the rights recognized in the Covenant had in fact been taken to the maximum of the country's available resources. Could the delegation provide a monetary figure for the maximum of the State party's available resources?

48. **Mr. Mancisidor de la Fuente** asked what indicators the Canadian authorities used to determine whether the minimum wages in the country provided workers with a decent living for themselves and their families. He also asked what measures were planned to facilitate access to labour markets for persons with disabilities, whose employment rate did not appear to be very high.

The meeting was suspended at 4.40 p.m. and resumed at 5.05 p.m.

49. **Ms. Wernick** (Canada) said that the new Canadian Government had made public more than 300 commitments, at least 60 of which were related to economic, social and cultural rights. The Government would shortly table a budget that involved extensive new investment in those areas. The emphasis on multilateralism had been renewed. Replies to Committee members' requests for specific data would be provided in writing in due course.

50. **Mr. Murphy** (Canada) said that the announcement that the Prime Minister's cabinet was equally divided between male and female ministers had been a source of great pride in Canada. A record number of female members of Parliament had also been elected. The Government would be working with the public and private sectors in a bid to ensure that women accounted for 30 per cent of the members of corporate boards by 2019.

51. Initiatives to further narrow the gender gap included plans to launch consultations with provinces, territories and indigenous organizations and peoples on a new framework for early learning and childcare and a public commitment to more flexible working arrangements. Gender equality legislation was in place for federal, provincial and territorial workers.

52. **Mr. Weldon** (Canada) said that, since the announcement in early December 2015 of a planned inquiry into the disappearance and murder of indigenous women and girls, the Minister of Indigenous and Northern Affairs had worked closely with the families of the victims and with indigenous communities to gather information that had not

previously been widely known and views on what the inquiry should cover when it was formally launched in the summer of 2016. The Government viewed the inquiry as one item, albeit an important one, on a broader agenda of reconciliation with indigenous communities.

53. The Indian Act no longer responded fully to the governance needs of First Nations, but reform of the Act, whose broad scope made it highly complex, could not take place overnight. In any event, an ongoing exploratory process, led by First Nations themselves, had generated ideas for reform that had been duly passed on to the Government. In addition, some components of the Act had already been addressed. In 2015, for instance, the First Nations Elections Act had entered into force. It had led to significant changes to the conduct of elections on reserves. An amendment had also been made to the Indian Act as it pertained to matrimonial real property rights. Those two changes were only the beginning of what would ultimately be a more thorough reform.

54. Canada had made known its firm commitment to the principles of the United Nations Declaration on the Rights of Indigenous Peoples. In that connection, environmental assessment legislation as it related to business operations affecting indigenous communities was under review. At a recent meeting of the Third Committee of the United Nations General Assembly, Canada, in a break with past practice, had provided unconditional support for a resolution on the rights of indigenous people.

55. **Ms. Van Nes** (Canada) said that her country's position on extraterritoriality was unchanged. Canada did not believe that it had extraterritorial obligations. The Government nonetheless expected Canadian companies to respect the law in the countries in which they had operations. Laws against corruption and bribery had been enacted, and Canadian companies operating abroad that failed to abide by the principles of corporate social responsibility lost access to official trade advocacy support in foreign markets, and their conduct was taken into account by the country's export credit agency.

56. Official development assistance (ODA) provided by Canada contributed to other States' progressive realization of the rights recognized in the Covenant. In that context, the new Government was committed to redirecting ODA towards efforts to help the poorest and most vulnerable. Such efforts involved programmes to combat the marginalization of vulnerable groups and increase the capacity of recipient Governments to provide such public services as sanitation, health care and education. Under the Official Development Assistance Accountability Act, ODA could be provided only if the competent minister was of the opinion that it was consistent with international human rights standards.

57. **Mr. Murphy** (Canada) said that the Prime Minister was also the minister responsible for youth and that he had pledged to create a youth advisory council composed of young people aged 16 to 24. The new Government had also made a commitment to eliminating provisions that made it difficult for young people and immigrants to obtain unemployment benefits. A youth investment strategy had been developed to help young people transition into the labour market.

58. For the first time in its history, Canada had a minister specifically responsible for all disability issues. Her mandate was to ensure greater accessibility and opportunities for Canadians with disabilities and ultimately to spearhead the passage of a Canadians with Disabilities Act. Facilitating access to the labour market for persons with disabilities remained a priority.

59. **Ms. Filion** (Canada) said that the Government was reviewing its position on the ratification of the international human rights treaties to which it was not yet a party. As economic, social and cultural rights covered a wide array of topics, there were various avenues of redress for violations of those rights, including access to the courts to challenge administrative decisions and to bring discrimination complaints and civil or

tort actions. If, for example, a person believed that a governmental authority had exercised its power in an arbitrary, discriminatory, or otherwise unreasonable way, he or she could file a suit asking the court to review the administrative decision. One such case had involved a challenge to eligibility criteria for income assistance on First Nations reserves. More broadly, the country's independent judicial system reviewed all legislation for consistency with the Constitution and other legislative protections.

60. Persons who believed their rights had been violated had access to various statutory bodies established under legislative programmes relating to economic, social and cultural rights. Those bodies were authorized to investigate and adjudicate cases involving economic and social issues such as compensation for work injuries, workplace health and safety, labour relations and social assistance. In their areas of jurisdiction, those bodies could also rule on the constitutionality of legislative provisions.

61. The Canadian courts had recognized that the international human rights treaties to which Canada was party were relevant to determining the scope of the Canadian Charter of Rights and Freedoms. As part of an ongoing review of litigation strategy, the Attorney General had decided not to seek review of a Canadian Human Rights Tribunal decision in which the failure to fund services on First Nations reserves had been found discriminatory.

62. **Ms. Ravenberg** asked what action the Government was taking to reduce homelessness, what policy it was pursuing to cut mortality rates among the homeless and whether it had investigated the causes of differences in life expectancy between homeless people and the general population. She asked the delegation to provide information on the medical repatriation of migrant farm workers whose employment contracts had been terminated for reasons of health or work-related injury and to explain government policy towards migrant workers in an irregular situation who had no health insurance.

63. **Mr. Pillay** asked whether the Government had evaluated the effectiveness of its poverty reduction strategy, in particular its impact on disadvantaged and marginalized groups such as persons of African descent, indigenous people and women. The criminalization of homeless people by certain municipalities was a shameful practice that should be stopped. In the light of recent rulings by two provincial courts that had found that practice unconstitutional, the federal Government, through the Ministry of Justice, should issue a circular calling on provincial authorities across the country to bring their policies into line with those rulings. The authorities should take steps to ensure that the victims of forced evictions were provided with alternative accommodation and were not made homeless.

64. **Mr. Ribeiro Leão**, referring to paragraph 479 of the periodic report (E/C.12/CAN/6), asked whether any impact assessment had been made of the poverty reduction plan that had been launched in New Brunswick in 2008. In view of reports indicating that poverty rates had risen in recent years, he would like to know whether the policies in force had proved inadequate and whether the newly installed Government intended to introduce any further anti-poverty programmes.

65. **Mr. Uprimny** noted that, despite government efforts to combat discrimination against women, the problem persisted. It would therefore be interesting to know whether the new Government intended to review and update the 1995 Federal Plan for Gender Equality with a view to designing a more comprehensive and structured strategy in consultation with the various provinces and territories and women's organizations. In view of reports that the national anti-drug strategy launched in 2007 had had detrimental effects on the health of drug users because of its punitive nature, he asked whether the Government was planning to change or rethink its approach in that area in order to introduce a more humane policy that would be more consistent with the right to health.

66. **Mr. De Schutter** said that, while he welcomed the announcement by the Government of a plan to develop a food policy to promote healthy living and the production of safe food, he would appreciate more information on the specifics of the plan. In particular, he wished to know whether civil society would be involved in its development, whether it would take into account not only agricultural considerations but also environmental, health, educational and social concerns and whether it would be rights-based, in line with the Committee's general comment No. 12 on the right to adequate food. It would also be interesting to know how the communities receiving support under the Nutrition North Canada programme were identified and how the Government ensured that no eligible community was excluded from the programme. He asked whether the Curbing Childhood Obesity programme had been evaluated, whether Agriculture and Agri-Food Canada had been involved in that programme and what follow-up had been given to it. Lastly, he would like to know what measures were envisaged to put an end to the forced institutionalization of people with disabilities because of the lack of adequate community-based housing and social assistance.

67. **Mr. Abashidze** asked whether the Government would duly consult with indigenous peoples when amending legislation that affected them.

68. **Mr. Atangana** asked whether recently introduced legislation providing for stiffer penalties in cases involving acts of domestic violence had been implemented and, if so, what impact it had had. He would like to know what follow-up had been given to the recommendations made by the Truth and Reconciliation Commission following the national inquiry that had been conducted into missing and murdered indigenous women and girls. He enquired whether the Government had acted upon the recommendation by the Committee on the Rights of the Child that it should repeal section 43 of the Criminal Code, authorizing the use of reasonable force in disciplining children.

69. **Ms. Shin** asked whether the Government intended to ensure that the inquiry into missing and murdered indigenous women and girls was a genuinely national undertaking that would lead to comprehensive policies to address the underlying social and economic issues affecting indigenous peoples in general. She wished to know what action was being taken to overcome regional differences in access to abortion services and to ensure that referrals and alternatives were available in the event of conscientious objection by physicians. She would welcome further information on the status of sex education and, more generally, on reproductive rights and health issues in Canada.

70. **Mr. Mancisidor de la Fuente** said that he would like to know the Government's position on the pollution caused by mercury discharges into rivers and lakes in north-western Ontario. He expressed the hope that the Government would take action to address the situation, which had caused harm to the environment and the health of indigenous peoples living in the area, and thereby signal a more positive attitude on the part of the authorities to the right to water than had been the case to date. He asked whether indigenous languages enjoyed official status within the respective territories of their speakers, in particular in the educational system.

The meeting rose at 6.10 p.m.